

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK TIMES COMPANY, : No. 21-cv-06073-KPF  
Plaintiff, :  
v. : **STIPULATION AND  
ORDER OF DISMISSAL**  
U.S. DEPARTMENT OF JUSTICE, :  
Defendant. :  
:  
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WHEREAS on or about July 15, 2021, Plaintiff The New York Times Company (“The Times”) filed a complaint in the above-captioned suit pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), seeking the release of certain records by Defendant the United States Department of Justice (“DOJ”), in connection with a FOIA request dated January 30, 2021;

WHEREAS on or about August 23, 2021, DOJ answered the Plaintiff’s complaint;

WHEREAS DOJ responded to the FOIA request by producing responsive, non-exempt records on May 13, 2022;

WHEREAS The Times has determined that it will not pursue further release of information or documents and seeks to dismiss its claims against DOJ under the terms set forth below;

IT IS HEREBY STIPULATED, by and between the parties, as follows:

1. DOJ’s production resolves any and all claims that The Times now has or may hereinafter acquire against DOJ or the United States of America (“United States”),

or any department, agency, officer, or employee of DOJ and/or the United States, related to or arising out of the FOIA request.

2. The claims brought by The Times are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each party to bear its own fees and costs.

3. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall have any force or effect.

4. Nothing in this Stipulation and Order affects, or shall be construed to affect, the rights of The Times to pursue further release of information or documents from DOJ through other FOIA requests.

Dated: New York, NY  
June 6, 2022

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Southern District of New York

  
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THE NEW YORK TIMES COMPANY

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*Counsel for Plaintiff*

SO ORDERED:

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THE HONORABLE KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE